

MINUTES
UTAH
SUBSTANCE ABUSE COUNSELORS
BOARD MEETING

November 7, 2007

Room 475 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:00 A.M.

ADJOURNED: 1:00 P.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Joel Millard, DSW
Ronald K. Wilkey
Kelly J. Lundberg, Ph.D.
Stephen R. Sheppard, Ph.D.

Board Members Absent:

Linda Cornaby
Shawn M. McMillen, Chairperson
Patrick J. Fleming

Guests:

Dave Felt
Gloria Boberg, Association President
Jeremy Boberg

DOPL Staff Present:

David Stanley, Division Director
Dee Thorell, Investigator
Brittany Butsch, Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Chairperson

Joel Millard, DSW, was requested to chair the meeting in the absence of Shawn M. McMillen, chairperson.

MINUTES:

The minutes from the October 3, 2007 meeting were read.

Dr. Lundberg made a motion to approve the minutes as read. Mr. Wilkey seconded the motion. **The Board vote was unanimous.**

APPOINTMENTS:

10:00 A.M.

Joanie Jones, Probationary Interview

Ms. Jones met for her probationary interview.

Mr. Wilkey conducted the interview.

Mr. Wilkey stated that Ms. Jones has requested early termination of her probation. He asked Ms. Jones to update the Board regarding her reasons of why she believes her probation should be terminated early.

Ms. Jones responded that she believes she is ready for the probation to be terminated. She stated that she is still in marriage and family counseling, involved in AA meetings, still trying to connect with her family and a full time student at the University of Phoenix for a mental health counseling degree.

Mr. Wilkey stated that the Board had recommended the drug testing be terminated.

Ms. Jones responded that he is correct.

Dr. Lundberg stated that Ms. Jones probation was for a 5 year period. She stated that requesting early termination before at least ½ of the probation being completed is a little premature. Dr. Lundberg stated that she does understand the reason for the request. She stated that when Ms. Jones probation started there was some confusion on her part regarding the requirements and what Ms. Jones needed to do which took some time for Ms. Jones to understand and comply with. She stated that when the requirements were clarified Ms. Jones turned around and has been a model probationer. Dr. Lundberg again stated that she believes it is a little early to consider termination of probation.

Mr. Wilkey responded that Ms. Jones should continue to have her therapist and supervisor submit their reports and Ms. Jones should continue to meet quarterly.

Ms. Taxin asked if Ms. Jones had any questions.

Ms. Jones responded that she did not have any questions.

An appointment was made for Ms. Jones to meet again on January 9, 2008.

10:20 A.M.

Melissa Zahn, Probationary Interview

Ms. Zahn met for her probationary interview.

Dr. Lundberg conducted the interview.

Dr. Lundberg requested Ms. Zahn to update the Board regarding her work, how she is doing, etc.

Ms. Zahn responded that she believes she is on track for her probation and in doing her counseling. She stated that she is working with Paul Ricks on boundary issues in the work relationship and all relationships. She stated that it is important to her to realize that she is a work in progress and will always have areas where she is weak. Ms. Zahn stated that there are always situations at work regarding boundaries and what is proper and comfortable and what is not proper. She stated that she is finding there are many gray areas and she is coming up against walls by maintaining firmer boundaries and becoming involved in dual relationships. Ms. Zahn stated that it is hard to maintain proper boundaries when she observes co-workers walking in some gray areas. She stated that it is good for her to talk with Mr. Ricks about the issues.

Mr. Wilkey asked Ms. Zahn if she is associated with any outside sober living areas.

Ms. Zahn responded that she is not. She stated that she is doing triage, training and lets people know the services the agency has available. She stated that she also does some screening and talks about the level of care the client may need.

Mr. Wilkey asked if Ms. Zahn is currently taking the 2 prescriptions she reported having been given.

Ms. Zahn responded that she is not taking any prescriptions. She stated that the prescriptions were prescribed after her surgery but she did not take any of them.

Ms. Taxin commented that originally Ms. Zahn was resistive to going to counseling. She asked Ms. Zahn to explain the change.

Ms. Zahn responded that originally her finances were so tight that she was very overwhelmed with how to put everything together. She stated that there was fear and panic as she was so far behind in her finances. Ms. Zahn stated that she has been blessed by going to therapy and is now getting a lot out of the therapy and enjoys going.

Mr. Wilkey asked if she is still employed at House of Change.

Ms. Zahn responded that she is. She stated that she is at the out-patient program 3 days a week and at the Sandy in-patient program 2 days a week.

Ms. Taxin asked if Jon Scheffries is in the “grey area at her place of employment”.

Ms. Zahn responded that Mr. Scheffries is not in the gray areas. She stated that his concerns are often her concerns and she is able to talk with Mr. Scheffries and address her concerns. She stated that Mr. Scheffries holds her accountable and is good about confronting her to help her look at her blind spots. Ms. Zahn stated that she can take on the voice of a victim and say “poor me”. She stated that Mr. Scheffries makes her re-look and re-think and not play the victim. She stated that he pushes her to look at herself and her work and how she deals with issues. Ms. Zahn stated that Mr. Scheffries is a good supervisor.

Dr. Lundberg asked if Ms. Zahn plans to stay with that agency.

Ms. Zahn responded that she does not plan to continue with House of Change. She stated that the agency has

too many gray areas.

Ms. Taxin asked if she is currently seeking employment at another agency.

Ms. Zahn responded that she is currently looking for employment elsewhere as she is uncomfortable with the gray areas. She stated that it is too risky. Ms. Zahn stated that she talks with employees regarding the issues. She stated that she would like to have Will Dredge, LCSW, approved to supervise her along with Jan Scheffries. She stated that the agency has 2 locations she can work at.

Ms. Taxin responded that Mr. Dredge will be unable to be approved to supervise until he has been licensed as an LCSW for 2 years which will be after December 7, 2007. She stated that Mr. Dredge could then be approved as an additional supervisor. Ms. Taxin gave Ms. Zahn another supervisor form for Mr. Dredge. She stated that he will be required to submit a letter that he has read her Stipulation and Order and is willing to supervise her. Ms. Taxin stated that Mr. Dredge may submit his letter with the required report.

An appointment was made for Ms. Zahn to meet again January 9, 2008.

10:40 A.M.

Scott Young, Probationary Interview

Mr. Young met for his probationary interview.

Dr. Millard conducted the interview.

Dr. Millard stated that all Mr. Young's reports have been received. He asked Mr. Young to update the Board on how he is doing in regard to his probation and his work.

Mr. Young responded that he is doing well personally and is doing well in his work.

Ms. Taxin stated that Mr. Young has taken responsibility for his situation and his employer has reported that he thinks highly of Mr. Young, as do the clients.

Dr. Millard asked Mr. Young if he believes he is ready to have his probation completed.

Mr. Young responded that he believes he is ethically stable and has learned how to interact on a professional level with his clients. He stated that he believes he will continue this pattern throughout the remainder of his time working as a Substance Abuse Counselor. Mr. Young stated that he has benefited from the probationary process. He stated that he has had to look at the humility part of himself and believes that it has made him a better person.

Ms. Taxin stated that in the past Mr. Young has relapsed when he is stressed. She asked him what coping skills are in place to help him now if he found himself in a stressful situation.

Mr. Young responded that he now has a great support system in place of family members and a peer group of friends that have been incorporated into his life. He stated that he no longer has feelings to go out and destroy his life. Mr. Young stated that when he has stressors he gravitates to these people to help him make good decisions. Mr. Young stated that he also receives good feedback, strength and wisdom from the people he works with.

Mr. Sheppard made a motion to terminate Mr. Young's probation based on consistent compliance with all the probationary requirements.

Dr. Lundberg seconded the motion.

The Board vote was unanimous.

Ms. Taxin explained the paperwork process to Mr. Young.

11:00 A.M.

Teresa Lloyd, Probationary Interview

Ms. Lloyd met for her probationary interview.

Dr. Sheppard conducted the interview.

Dr. Sheppard requested Ms. Lloyd to update the

Board regarding where she is working, the type of work she is doing and where she with furthering her education.

Ms. Lloyd responded that she is still in the Professional Counselor education program at University of Phoenix. She stated that she is hoping to do her internship for Professional Counseling at the facility where she is currently working and to also incorporate the internship into substance abuse counseling.

Dr. Lundberg informed Ms. Lloyd that she can not do the same type of therapy for Professional Counseling and Substance Abuse Counseling. She stated that the counseling would not count for both.

Ms. Lloyd stated that she believes the agency is planning to give her some substance abuse people.

Dr. Lundberg stated that Ms. Lloyd would have to separate the two types of therapy and not count the time for both.

Ms. Lloyd stated that she believes her internship with the University of Phoenix will start in December as she completed the classes the end of November. Ms. Lloyd stated that the internship should take about a year to complete.

Ms. Taxin stated that Ms. Lloyds supervisors will need to submit letters of having read her Stipulation and Order and state their willingness to supervise her and assist her in completing her probation requirements. Ms. Taxin reminded Ms. Lloyd that each supervisor will also be required to submit reports.

Ms. Lloyd stated that she is still employed at Red Rock as a group leader in charge of a group home of girls and staff. She stated that this is a new position since she met last with the Board. Ms. Lloyd stated that her position is to supervise staff only. She stated that she is trying to get Red Rock to include her for Substance Abuse Counseling as she has about 6 girls in her unit that have drug and/or alcohol issues. Ms.

Lloyd stated that Angela Baker is the therapist at this time.

Dr. Lundberg commented that Ms. Lloyd has a new Stipulation and Order since she met with the Board in May. Dr. Lundberg asked what Ms. Lloyd thinks about the new Stipulation and Order.

Ms. Lloyd responded that she almost gave up her license. She stated that she realized it would look bad to have surrendered a license and she did not want that. She stated that she signed a new Stipulation and Order and plans to do what she needs to in order to complete the requirements of her probation.

Dr. Lundberg asked Ms. Lloyd why she was not already doing what was required of the old Stipulation and Order.

Ms. Lloyd explained that she had put her money in her checking account and then received a notice that her account was closed. She stated that she had paid her renewal of the Substance Abuse Counselor license out of that account and the check was no good. Ms. Lloyd stated that she then obtained 3 money orders, which cost her more money, and the Division only received the 3rd money order. She stated that she has been working part time positions to make ends meet and she believes her jobs got in her way. Ms. Lloyd stated that she always looks for positions as a Substance Abuse Counselor and has applied for one near Hurricane. She stated that she is going to apply for another position soon.

Dr. Lundberg asked Ms. Lloyd how being late today plays into all of Ms. Lloyd's issues.

Ms. Lloyd responded that being late today does not play a part. She stated that she hates being late for anything. Ms. Lloyd explained that she brought her niece with her today. She stated that the niece is diabetic and was having problems so she had to pull over every few minutes for the niece to throw up and that is why she was late. She stated she was sorry.

Dr. Lundberg asked Ms. Lloyd to explain her

understanding of the new Stipulation and Order.

Ms. Lloyd responded that she understands that if she is not working as a Licensed Substance Abuse Counselor then she is still required to submit a letter of such by the 5th of each month. She stated that she understands that she also needs to notify the Board if she obtains employment in the field. Ms. Lloyd stated that she received the new Stipulation and Order and she did not know if she was to submit a letter today or not.

Dr. Lundberg stated that Ms. Lloyd should also contact the Division to be sure her letters are received.

Ms. Taxin stated that if Ms. Lloyd is not working as a Substance Abuse Counselor then she might want to have her mental health therapy supervisor (when she is completing her education professional counseling internship) submit reports so that the Board knows how she is doing. Ms. Taxin stated that Ms. Lloyd needs to communicate with the Board on what she is doing. She stated that she would like to close Ms. Lloyd's probation on a positive note as the probation will not just go away. Ms. Taxin stated that reports give the Board feedback regarding Ms. Lloyd keeping proper boundaries, how she is doing as a mental health therapist, etc. Ms. Taxin reminded Ms. Lloyd that Dr. Beck will need to submit a report regarding the agency where Ms. Lloyd will be placed and who her supervisor will be. She stated that the new Stipulation and Order requirements do not change the original Stipulation and Order requirements.

An appointment was made for Ms. Lloyd to meet again January 9, 2008.

Ms. Taxin stated that if Ms. Lloyd is not working as a Substance Abuse Counselor then she probably will not be meeting with the Board.

11:30 A.M.
Laws, Rules and Application Discussion

Ms. Taxin stated that she reviewed the new Laws, Rules and application with her staff. She stated that she then talked with Dave Felt and he commented that

her understanding of the Rules was not right on some areas. Ms. Taxin stated that she then received a phone call from Gloria Boberg who had lectured at the University of Utah. Ms. Taxin stated that Ms. Boberg received a call from Dave Felt after the lecture regarding her giving incorrect information in her lecture. Ms. Taxin stated that it was reported to her that at the Association meeting someone said everyone who is not yet licensed needs to send a letter to the Division saying they are in the process of getting their license. Ms. Taxin stated that she then requested Mr. Felt to meet with her and her staff to go over the Laws and Rules for clarification. She stated that Mr. Felt contacted Ms. Boberg regarding the meeting and Ms. Boberg called to be included in the meeting. Ms. Taxin stated that she cancelled the meeting and requested Mr. Felt and Ms. Boberg to meet with the Board for discussion. Ms. Taxin stated that Mr. Felt has invested a lot of time in preparing the new Law and helping write the new Rules. She stated that it is important now to shift a little from Mr. Felt and Santiago Cortez as Gloria Boberg is the Association President. Ms. Taxin stated that Mr. Felt and Mr. Cortez should go through Ms. Boberg and the Association. Ms. Taxin stated that she, her staff and the Board need to be sure the Law is clear and if it is not then the Association will need to make some changes. She stated that Mr. Jeremy Boberg called to update the Division regarding a change in the Association website and to request the change be put in the application. Ms. Taxin stated that she has had additional questions in the last couple of weeks and requested Ms. and Mr. Boberg to meet with the Board and have a list of questions for the Board to review.

Mr. Boberg stated that he created a cheat sheet for everyone to explain the different requirements for each level of licensing. He distributed the sheet for the Board and Division staff.

Following review of the cheat sheet and the new Laws and Rules the Board made some recommendations to Ms. Boberg.

Ms. Taxin suggested that after 2009 when some of the “prior to 2009” requirements are no longer in

effect then the Association might reopen the Law for the suggested changes.

The Board and Ms. Taxin recommended adding a clause in the Rules regarding Substance Abuse licensees owning agencies and being in control.

Ms. Taxin stated that she will make the recommended revisions to the Rules for the Board to review at the next scheduled meeting. She stated that she will revise the application immediately to update to current requirements.

Mr. Boberg stated that he will immediate write a letter from AUSAP regarding the change in the application and refer people to the DOPL website for the most current application.

DISCUSSION ITEMS:

Update regarding Patricia Munteer

Ms. Taxin reported that an Order to Show Cause was written and sent to Patricia Munteer. She stated that Ms. Munteer did not respond and the Order went to the default of revoking the license. Ms. Taxin stated that Ms. Munteer started calling and left a message. She stated that when she reached Ms. Munteer, Ms. Munteer stated that she talked with the Judge and worked it out. Ms. Taxin stated that she did not understand what Ms. Munteer meant but she no longer is licensed.

The Board thanked Ms. Taxin for her update.

Update regarding Jill Bartschi LSAC Application

Ms. Taxin explained that Jill Bartschi was the applicant that could not get a mental health therapy supervisor to sign off on her hours of experience. She stated that Ms. Bartschi will reapply under the new Law requirements of 4,000 hours instead of the previous requirement of 6,000 hours. Ms. Taxin stated that Ms. Bartschi has worked the 4,000 hours at Ms. Boberg's agency and has had an LCSW supervisor who is able to sign off on the experience hours.

The Board thanked Ms. Taxin for the explanation.

Clarification regarding LSAC's Owning the Agency, Hiring the Mental Health Therapy Supervisor, LSAC's doing SASSI and ASI Evaluations

Ms. Taxin stated that there may be some investigators attending the meeting for this discussion as they have some questions regarding the issue of a Licensed Substance Abuse Counselor owning the business and working as a Licensed Substance Abuse Counselor under supervision of a mental health therapist they have hired.

Dr. Lundberg commented that the contract situation is really not something that should come before the Board for discussion but maybe the Association should be involved.

Ms. Taxin stated that maybe a Licensed Substance Abuse Counselor should be required to meet with the Board if they own the business to explain how the supervision will work and to have approval of the Board. Ms. Taxin stated that the mental health therapy portion of the Law does not allow for the CSW or an Intern to be in private practice while being supervised as the supervisor must not be under any control of the supervisee. She stated that maybe the Substance Abuse Counselor's Laws and Rules needs to have similar language so that investigations can enforce when complaints come in.

Dr. Millard stated that if the agency is a non-profit then there is a Board who would be in charge and would hire all licensees. He stated that there would be a problem if the agency is a profit agency then the owner would be hiring all licensees.

Ms. Taxin stated that if the LSAC is the owner and also doing counseling they need to have an appropriate supervisor. She stated that the general supervision would be a little different and the issue needs to be addressed.

Following additional discussion and Board recommendations, Ms. Taxin stated that she will write up the recommendations for the Board to review at the January 9, 2008 meeting. She stated that if the Board agrees with the revisions they may vote to adopt to change the Rules.

2008 Board Meeting Schedule

The Board noted the following dates for the 2008 Board meetings: January 9, April 9, July 9 and October 15, 2008.

NEXT MEETING SCHEDULED FOR: January 9, 2008

ADJOURN: The time is 1:00 pm and the meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

January 9, 2008
Date Approved

(ss) Shawn McMillen
Chairperson, Utah Substance Abuse Counselors
Licensing Board

December 10, 2007
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational &
Professional Licensing